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PATENT
Atty. Docket No. MICRU:56212

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MICHAEL J. O'CONNOR, ET AL.

Application No. 09/813,119

Filed: March 19, 2001

For: VARIABLE STIFFNESS
HEATING CATHETER

Date: June 29, 2001

Group Art Unit 3739

Customer Service Center
Initial Patent Examination Division

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with sufficient postage as First Class Mail in an envelope addressed to: **BOX MISSING PARTS, COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231** on June 29, 2001.

James W. Paul, Reg. No. 29,967
Attorney for Applicant

SUBMISSION OF MISSING PARTS OF APPLICATION

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice To File Missing Parts Of Non-Provisional Application - Filing Date Granted, mailed May 1, 2001 (copy attached), applicants submit herewith three (3) executed Declaration and Power of Attorney documents, individually signed by each inventor, in the above identified application. Enclosed is our check in the amount of \$487.00 covering the \$355.00 filing fee (small entity), \$27.00 extra claims,

Application No. 09/813,119

PATENT

\$65.00 late surcharge in compliance with 37 C.F.R. 1.16(e) and \$40.00 recordation fee for the Assignment document (three Assignment documents, each individually executed by each inventor) being filed concurrently herewith. Please charge any additional fee or credit any overpayment to our Deposit Account No. 06-2425. A **duplicate copy** of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By

James W. Paul, Reg. No. 29,967

JWP:sn

Enc.: Executed Declaration and Power of Attorney
Assignment for Recordation
Copy of Formalities Letter
Check for \$487.00

Howard Hughes Center
6060 Center Drive, 10th Floor
Los Angeles, California 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696

209245.1



Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

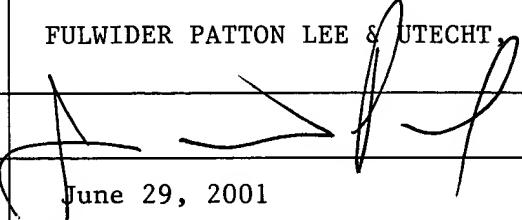
Application Number	09/813,119
Filing Date	March 19, 2001
First Named Inventor	Michael J. O'Connor
Group Art Unit	3739
Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number MICRU:56212

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Three (3) Executed Declaration and Power of Attorney documents
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

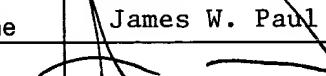
24201
PATENT TRADEMARK OFFICE

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	FULWIDER PATTON LEE & UTECHT, LLP	
Signature		
Date	June 29, 2001	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington DC 20231 on this date:

Typed or printed name	James W. Paul	Date	June 29, 2001
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 487.00)

Complete if Known	
Application Number	09/813,119
Filing Date	March 19, 2001
First Named Inventor	Michael J. O'Connor
Examiner Name	Unknown
Group Art Unit	3739
Attorney Docket No.	MICRU:56212

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **06-2425**
 Deposit Account Name **Fulwider Patton Lee ...**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	355
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ 355)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
23	-20** = 3	X	= 27
2	- 3** = -	X	= --
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 27)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Fee Code (\$)	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
105 130	205	65	Surcharge - late filing fee or oath	65
127 50	227	25	Surcharge - late provisional filing fee or cover sheet	
139 130	139	130	Non-English specification	
147 2,520	147	2,520	For filing a request for ex parte reexamination	
112 920*	112	920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115 110	215	55	Extension for reply within first month	
116 390	216	195	Extension for reply within second month	
117 890	217	445	Extension for reply within third month	
118 1,390	218	695	Extension for reply within fourth month	
128 1,890	228	945	Extension for reply within fifth month	
119 310	219	155	Notice of Appeal	
120 310	220	155	Filing a brief in support of an appeal	
121 270	221	135	Request for oral hearing	
138 1,510	138	1,510	Petition to institute a public use proceeding	
140 110	240	55	Petition to revive - unavoidable	
141 1,240	241	620	Petition to revive - unintentional	
142 1,240	242	620	Utility issue fee (or reissue)	
143 440	243	220	Design issue fee	
144 600	244	300	Plant issue fee	
122 130	122	130	Petitions to the Commissioner	
123 50	123	50	Processing fee under 37 CFR 1.17(q)	
126 180	126	180	Submission of Information Disclosure Stmt	
581 40	581	40	Recording each patent assignment per property (times number of properties)	40
146 710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279	355	Request for Continued Examination (RCE)	
169 900	169	900	Request for expedited examination or of a design application	
Other fee (specify) _____				

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 105.00)

SUBMITTED BY	Complete if applicable		
Name (Print/Type)	James W. Paul	Registration No. (Attorney/Agent)	29,967 Telephone 310-824-5555
Signature	Date June 29, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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Sector #

Page 1 of 2

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/813,119	03/19/2001	Michael J. O'Connor	MICRU: 56212

CONFIRMATION NO. 2506

24201

FULWIDER PATTON LEE & UTECHT, LLP
HOWARD HUGHES CENTER
6060 CENTER DRIVE
TENTH FLOOR
LOS ANGELES, CA 90045

FORMALITIES LETTER



OC0000000006027295

Date Mailed: 05/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$54.
 - \$54 for 3 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 894.

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355.00
27.65

A copy of this notice MUST be returned with the reply.

MTB
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/09/2001 EEKUBAY1 00000040 09813119
01 FC:201
02 FC:203
03 FC:205

